

PROB 12C
(5/00)

**UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF TEXAS**

UNITED STATES COURTS
SOUTHERN DISTRICT OF TEXAS
ENTERED

APR 20 2005

Michael N. Milby, Clerk of Court

Superseding Petition for Warrant for Offender Under Supervision

Name of Offender: CHRIS LENEAL STALLWORTH Case Number: 6:02CR00051-001

Name of Sentencing Judge: The Honorable John D. Rainey

Date of Original Sentence: March 3, 2003

Original Offense: DID KNOWINGLY AND INTENTIONALLY DISTRIBUTE APPROXIMATELY
1.85 GRAMS OF CRACK COCAINE

Original Sentence: 18 Months BOP, followed by 3 Years SRT

Type of Supervision: Supervised Release Supervision Started: June 22, 2004

Assistant U.S. Attorney: Timothy G.E. Hammer Defense Attorney: Julie Hale

EARLIER COURT ACTION

On February 11, 2005, the Court issued a supervised releasee violator's warrant based on the defendant's failure to report, failure to report a change in residence, and his failure to abide by the drug treatment program's rules and regulations. On March 4, 2005, the defendant was arrested by the Victoria Police Department for the offense of failure to identify. The U. S. Marshal's Service have lodged a detainer, and upon disposition of the state case the SRT violator's warrant will be executed. To date remains in custody at the Victoria County Jail.

PETITIONING THE COURT

To consider the allegations contained in this superseding petition at the revocation hearing, and that the warrant issued on February 11, 2005, be withdrawn, and a new warrant issued based on this superseding petition.

Violation Number Nature of Noncompliance

1

NEW LAW VIOLATION - FAILURE TO IDENTIFY

On or about March 7, 2005, in Victoria County, Texas, Chris Leneal Stallworth committed the offense of failure to identify in that he did then and there, knowing that the said Travis Hanson was a peace officer, intentionally give a false or fictitious name, to-wit: "Christopher Lee Stallworth", to Travis Hanson, a peace officer who had lawfully arrested or detained the defendant, and the defendant was then and there a fugitive from justice, in violation of Texas Penal Code § 38.02(d), a class B misdemeanor.

Details: On March 4, 2005, in Victoria County, Texas, Victoria Police officers responded to the Motel 6 Hotel for a report of a suspicious person standing outside of room #229. Upon their arrival, the officers observed the defendant stepping outside of room #227. The officers questioned the

defendant who identified himself as "Christopher Lee Stallworth." Stallworth informed the officers that he was having difficulty with the mother of his children who was staying in room #229. During questioning, the officers questioned the defendant as to his identity and as to the possibility of there being an active warrant for his arrest. The defendant informed the officers that he was Christopher Lee Stallworth and that his brother had the active warrant. The defendant was ultimately identified by the tattoo on his right arm.

On March 9, 2005, a complaint and information was filed in Victoria County Court at Law under Cause No. 1-84,111. On April 4, 2005, the defendant entered a plea of guilty to the offense, and was sentenced to the custody of the county jail for a period of 120 days and \$500 fine.

2 FAILURE TO REPORT AND FAILURE TO SUBMIT A MONTHLY SUPERVISION REPORT

During the month of December 2004, January 2005, February 2005, and to the filing of this petition, Chris Leneal Stallworth failed to report and failed to submit a monthly supervision report to the probation office as directed by U. S. Probation Officer, M. Edna Felan. The defendant last reported to the probation office on November 10, 2004.

3 FAILURE TO REPORT CHANGE IN RESIDENCE

Chris Leneal Stallworth left his last known place of residence located at 3506 Woodlawn, Victoria, Texas, and failed to notify the U. S. Probation Officer 10 days prior of his change in residence. On October 26, 2004, a home visit verified that the defendant no longer resides at the above noted address. The defendant's uncle, Wayne Cunningham, advised that the defendant, although does not reside at the aforementioned address, goes by the residence occasionally. The defendant's whereabouts are currently unknown.

4 FAILURE TO ABIDE BY DRUG TREATMENT PROGRAM'S RULES AND REGULATIONS

Chris Leneal Stallworth, was participating in a drug treatment program at Treatment Associates, Inc., in Victoria, Texas, and was in Phase I requiring two individual counseling sessions and submission of three urine specimens per month. The defendant violated the rules and regulations of Treatment Associates, Inc., program by failing to report as directed for individual counseling sessions on September 22, 2004, November 24, 2004, and during the month of December 2004, and by failing to submit random urine specimens on November 2, 2004, November 23, 2004, and during the month of December 2004.

U.S. Probation Officer Recommendation:

- ☒ The term of supervision should be
 ☒ revoked.
 ☐ extended for years, for a total term of years.
- ☐ The conditions of supervision should be modified:

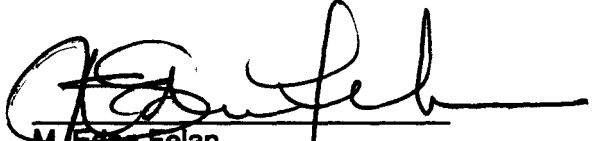
I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Approved:


James C. Martinez, Supervising
U.S. Probation Officer

Respectfully submitted:

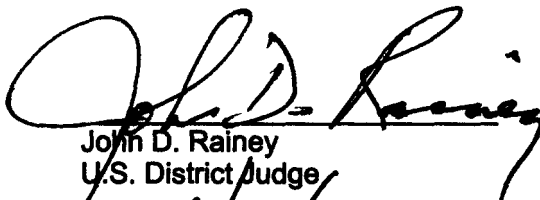
by


M. Edna Felan
U.S. Probation Officer
April 18, 2005

THE COURT ORDERS:

☐ No Action

☒ Other - that the allegations contained in this superseding petition be heard at the revocation hearing, and the warrant previously issued by withdrawn, and a new warrant issued based on this superseding petition. Bond remains the same.


John D. Rainey
U.S. District Judge
4/19/05
Date